



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation

Biweekly Report—Period Ending March 24, 2001



Fluor Enterprises, Inc. v. US, Court of Federal Claims No. 00-207

Fluor Enterprises has requested a six-month extension in the discovery schedule, which is not being opposed by the Department of Justice. We are requesting that Fluor respond to our interrogatories and requests for production, as the responses are now overdue. We are also requesting that Fluor's attorney review the contract file, which has been available to him for several weeks.

Charrier, Gibson & Associates (CGA)

This is a bid protest filed on April 3 at the contracting officer's level, alleging wrongful rejection of two offers that the company filed on behalf of trawler owners. The offers were rejected for a host of reasons, not the least of which was the failure of the offers to contain an original signature, which would signify the offeror's intent to be bound. A decision is due on May 7, 2001. (Terry H. Lee).

Section 508 Accessibility Policy Team

Attended the program put on by the Dept. of Justice and Access Board to discuss Section 508 issues; attended a meeting with Roger Baker to discuss implementation of Section 508 at DOC; began review of information which will be posted on the DOC intranet to alert operating units on the coming implementation. (Fred Kopatich)

Broker Issue

Advised COs regarding nonresponsiveness of offers where boat owners are submitting offers through a "broker" situated in Washington, DC, and the offers are not in conformance with the solicitation or FAR requirements. Furthermore, the "broker" is representing two or more competing boat owners, and there may be an independent price certification issue. In addition, payment to the broker by the offerors is being made on a contingent fee basis—which may or may not be in violation of the FAR. (Terry H. Lee)

COMMITTS Task Order/Non-Disclosure Agreement

The non-disclosure agreement for the NEXRAD task order was issued and signed by the contractors on March 30. Pursuant to the FAR, a notice of a potential conflict of interest was issued at the time of issuance of the RFS synopsis on March 30. (Terry H. Lee).

Omniplex World Services Corp. v. DOC, GSBGA No. 15508-COM

Respondent filed its answer to the complaint on March 30, 2001. (Terry H. Lee).

NOAA Tower

Conducted research on many issues arising out of a contract for space on a tower used for NOAA research near Boulder, Colorado, including issues relating to whether it should be structured as a lease or contract, and relating to proposed changes to made to the current contract. (Diane Canzano)

CLD "Time to Complete"—1.5 Days

Actions by Contract Law Division during Period from 3/11/2001 3/24/2001

Bureau	Received	Completed
NIST	7	8
NOAA	7	6
NTIA	1	1
Totals	15	15

**Contract Law Division—Client Workload
Period Ending 03/24/2001**

